

## ABSTRACT

A novel nucleic acid which can exert promoter activity in phloem tissue as well as a transformed plant containing the nucleic acid and that can express a desired structural gene controlled by the nucleic acid in its phloem tissue is disclosed. The nucleic acid of the present invention has the

5 nucleotide sequence shown in SEQ ID NO: 1 or 2 in SEQUENCE LISTING or a nucleic acid having a nucleotide sequence which is the same as the nucleotide sequence shown in SEQ ID NO: 1 or 2 in SEQUENCE LISTING except that one or a plurality of nucleotides are substituted, deleted, inserted or added, the latter nucleic acid having a promoter activity in phloem tissue of a plant, or a nucleic acid which is a part of anyone of the nucleic acids, that has a promoter activity in phloem tissue of a plant.

10 The transformed plant of the present invention is one transformed with the nucleic acid of the present invention and a desired structural gene which is functionally ligated to a site downstream of the nucleic acid and which is controlled by the nucleic acid as a promoter, which transformed plant expresses the structural gene in its phloem tissue.